

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE, NORTH CAROLINA

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The telephone number for the United States Bankruptcy Court is (704) 350-7500

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In response to COVID-19, hearings scheduled before Judge J. Craig Whitley for March 22 - 26, 2021 will be held telephonically or virtually via ZoomGov. Below is the weekly calendar of hearings. Please see the daily calendars for the dial-in information for telephonic hearings, and the point of contact for the needed link, codes and dial-in information for virtual hearings.

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***PLEASE SCROLL DOWN TO VIEW THE COURT CALENDARS  
FOR MARCH 22 – 26, 2021***

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03/22/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

MONDAY, MARCH 22, 2021

9:30 a.m. (Telephonic Hearings)

|    |   |                                   |          |   |
|----|---|-----------------------------------|----------|---|
| 1) | 7 | Daryl C. Davis<br>Sheila L. Davis | 21-30110 | Court Order for Debtors to Appear and<br>Show Cause for Dismissal of Case (4/1) |
|----|---|-----------------------------------|----------|---|

C. HOUSTON  
CULP, TR.

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|    |   |                        |          |   |
|----|---|------------------------|----------|---|
| 2) | 7 | Vijayalakshmi Malleedi | 20-31023 | Hearing on Reaffirmation Agreement<br>between Debtor and Capital One Auto<br>Finance (10) |
|----|---|------------------------|----------|---|

PENNEBAKER

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|    |   |                  |          |   |
|----|---|------------------|----------|---|
| 3) | 7 | C2 Advisors, LLC | 20-30142 | 2nd continued hearing on Trustee's<br>Motion to Designate Richard J. Covelli<br>Pursuant to Bankruptcy Rule 9001 of<br>the Federal Rule of Bankruptcy<br>Procedure (34); Objection of Richard<br>Covelli (38) |
|----|---|------------------|----------|---|

***BOTH MATTERS CONTINUED TO 6/28/21***

2nd continued hearing on Trustee's  
Motion for Turnover and to Enforce  
the Automatic Stay (35); Objection of  
Richard Covelli (39)

A. HENDERSON  
HAYES, TR.  
GRIER

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4) 7 Gary L. Mitchell 17-31661 Hearing on Trustee's Motion for  
Turnover (92)

PENNEBAKER  
HAYES, TR.

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03/23/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

TUESDAY, MARCH 23, 2021

9:30 a.m. (Telephonic Hearings)

1) 11 Redf Marketing, LLC 12-32462 Hearing on Motion of The Finley  
Group for Status Hearing or, in the  
Alternative, to Enforce Settlement  
Agreement and Settlement Order (672)  
  
HOUSTON

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2) Adv. Matthew W. Smith, 20-3007 Hearing on Plaintiff's Motion for  
Ch. 11 Trustee for Ch. 11 Order Directing Mediation (15)  
BK Racing, LLC 18-30241  
v.  
Nancy J. O'Haro

HOUSTON

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3) Adv. Matthew W. Smith, 20-3008 Hearing on Plaintiff's Motion for  
Chapter 11 Trustee for Ch. 11 Order Directing Mediation (15)  
BK Racing, LLC 18-30241  
v.  
Lena Pitrelli

HOUSTON  
WOODMAN

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- 4) Adv. Matthew W. Smith, 20-3014 Hearing on Plaintiff's Motion for  
*Chapter 11 Trustee for* Ch. 11 Order Directing Mediation (15)  
*BK Racing, LLC* 18-30241  
v.  
Ronald C. Devine, et al.

HOUSTON  
WOODMAN

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- 5) Adv. Matthew W. Smith, 20-3016 Hearing on Plaintiff's Motion for  
*Chapter 11 Trustee for* Ch. 11 Order Directing Mediation (23)  
*BK Racing, LLC* 18-30241  
v.  
Brian Castel

HOUSTON  
WOODMAN

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- 6) Adv. Matthew W. Smith, 20-3057 Hearing on Plaintiff's Motion for  
*Chapter 11 Trustee for* Ch. 11 Order Directing Mediation (10)  
*BK Racing, LLC* 18-30241  
v.  
Michael Diserveria, et al.

HOUSTON  
DIMATTEO

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- 7) 11 Calvin R. Kennedy 20-30208 Disclosure Statement Hearing (73)  
Cynthia M. Kennedy

HENDERSON

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8) 11 Shailesh Patel 20-30455 3rd continued confirmation hearing (65); Chapter 11 Small Business Plan and Amendment (64/67); Objection of the United States Small Business Administration (87)

Hearing on Debtors' Objection to Claim 6 [Claim of the United States Small Business Administration] (68); Response of the United States Small Business Administration (86)

PEARCE  
SULLIVAN  
ABEL – Bankruptcy Administrator  
MARTINEZ – Subchapter V Trustee

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2:00 p.m. (Telephonic Hearing)

9) 11 Osprea Logistics USA, LLC 21-30087 Continued for Final Hearing on Debtor's Motion to Use Cash Collateral (10); Stipulation by and between Debtor and First Horizon Bank (19)

WRIGHT  
BOWERS, TR.  
MARTIN

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03/25/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

THURSDAY, MARCH 25, 2021

9:30 a.m. (ZoomGov Hearing)

- |    |   |                               |   |
|----|---|-------------------------------|---|
| 1) | Adv Aldrich Pump LLC, et al.<br>v.<br>Those Parties to Actions<br>Listed on Appendix A to<br>Complaint and John and<br>Jane Does 1-1000 | 20-3041<br>Ch. 11<br>20-30608 | Status conference regarding Debtor's<br>Motion for an Order (I) Preliminarily<br>Enjoining Certain Actions Against<br>Non-Debtors or (II) Declaring that the<br>Automatic Stay Applies to Such<br>Actions, and (III) Granting a<br>Temporary Restraining Order Pending<br>a Final Hearing (2) |
|----|---|-------------------------------|---|

Hearing on Debtors' Motion for Partial  
Summary Judgment That all Actions  
Against the Protected Parties to  
Recover Aldrich/Murray Asbestos  
Claims are Automatically Stayed by  
Section 362 for the Bankruptcy Code  
(90); Supplemental Declaration of  
Allan Tananbaum in Support of  
Debtors' Complaint for Injunctive and  
Declaratory Relief and Related  
Motions (91); Declaration of John R.  
Miller, Jr. in Support of Debtors'  
Complaint for Injunctive and  
Declaratory Relief and Related  
Motions (92); Joinder of the Future  
Asbestos Claimants' Representative in  
Support of Debtors' Motion for Partial  
Summary Judgment That all Actions  
Against the Protected Parties to  
Recover Aldrich/Murray Asbestos  
Claims are Automatically Stayed by  
Section 362 for the Bankruptcy Code  
(105)

MILLER  
A. WRIGHT

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2:00 p.m. (ZoomGov Hearing)

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|----|--|-------------------------------|---|
| 2) | Adv DBMP LLC<br>v.<br>Those Parties Listed<br>on Appendix A to<br>Complaint and John<br>and Jane Does 1-1000 | 20-3004<br>Ch. 11<br>20-30080 | 3rd continued hearing for status<br>conference on Debtor's Motion for an<br>Order (I) Preliminarily Enjoining<br>Certain Actions Against Non-Debtors<br>or, (II) in the Alternative, Declaring<br>that the Automatic Stay Applies to<br>Such Actions and (III) Granting a<br>Temporary Restraining Order Pending<br>a Final Hearing on the Merits (2); The<br>Official Committee of Asbestos<br>Personal Injury Claimants Opposition<br>to the Debtor's Motion for Preliminary<br>Injunction or, Alternatively, for<br>Declaratory Relief (194/216); Debtor's<br>Omnibus Reply in Support of its<br>Motion for an Order Preliminarily<br>Enjoining Certain Actions Against<br>Non-Debtors or, (II) in the<br>Alternative, Declaring that the<br>Automatic Stay Applies to Such<br>Actions (223)   |
|    |  |                               | 3rd continued hearing on Motion of<br>the Official Committee of Asbestos<br>Personal Injury Claimants to Lift the<br>Stay as to Certain Asbestos Personal<br>Injury Claims (195); Joinder of the<br>Future Claimants' Representative in<br>the Motion of the Official Committee<br>of Asbestos Personal Injury Claimants<br>to Lift the Stay as to Certain Asbestos<br>Personal Injury Claims (220); Debtor's<br>Objection to the Motion of the Official<br>Committee of Asbestos Personal Injury<br>Claimants to Lift the Stay as to Certain<br>Asbestos Personal Injury Claims (221);<br>Stipulation and Agreed Order<br>Regarding the Automatic Stay (230);<br>Reply of the Official Committee of<br>Asbestos Personal Injury Claimants in<br>Support of its Motion to Lift the Stay<br>as to Certain Asbestos Personal Injury<br>Claims (239) |

3rd continued hearing for status conference regarding the Official Committee of Asbestos Personal Injury Claimants' and the Future Claimants' Representative's Motion *in Limine* to Preclude Certain Witness Testimony Regarding the 2019 Corporate Restructuring and Funding Agreement (240); DBMP's Opposition to the Official Committee of Asbestos Personal Injury Claimants' and the Future Claimants' Representative's Motion *in Limine* to Preclude Certain Witness Testimony Regarding the 2019 Corporate Restructuring and Funding Agreement (247)

3rd continued hearing for status conference regarding the Official Committee of Asbestos Personal Injury Claimants' and the Future Claimants' Representative's Motion *in Limine* to Exclude Expert Testimony by Charles E. Bates (241)

3rd continued hearing for status conference regarding the Official Committee of Asbestos Personal Injury Claimants' and the Future Claimants' Representative's Motion *in Limine* Regarding the Debtor's Declarations in Support of Motion for Preliminary Injunction (242)

CASSADA  
THOMPSON  
PARRISH

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3) 11 DBMP LLC

20-30080

2nd continued for status conference regarding Debtor's Motion for Bankruptcy Rule 2004 Examination of Asbestos Trusts (416)

2nd continued for status conference regarding Debtor's Motion for Order Directing Submission of Personal Injury Questionnaires by Pending Mesothelioma Claimants (417)

4th continued hearing for status conference regarding Motion of the Official Committee of Asbestos Personal Injury Claimants to Lift Stay as to Certain Asbestos Personal Injury Claims (614); Joinder of the Future Claimants' Representative in the Motion of the Official Committee of Asbestos Personal Injury Claimants (654); Opposition of CertainTeed LLC to the Motion (655); Debtor's Objection to the Motion (656); Reply of the Official Committee of Asbestos Personal Injury Claimants in Support of its Motion (690)

CASSADA  
THOMPSON  
PARRISH  
MILLER

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03/26/2021

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UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, MARCH 26, 2021

*Steven G. Tate, Trustee*

9:30 a.m. (Telephonic Hearings)

1) 13 Luther B. Vassey 18-40255 Hearing on Trustee's Motion to  
Hannah R. Vassey Dismiss Case (43)

NACHAMIE

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2) 13 Scottie Funderburke 18-40308 Continued hearing on Debtors' Motion  
Marie D. Funderburke to Obtain Credit and Approve  
Automobile Lease (20)

CARRUTHERS

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3) 13 Linda F. Shoup 19-40347 Hearing on Trustee's Motion to  
Dismiss Case (20)

Hearing on Debtor's Motion for Plan  
Payment Moratorium and for Hearing  
to Review Status of Plan (22); Trustee's  
Response (24)

MOORE

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4) 13 Robert Cook 20-40136 Hearing on Debtor's Motion to Sell  
Vehicle *Nunc Pro Tunc* (25); Trustee's  
Response (26)

LEZMAN

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|----|----|---------------------------------|----------|--|
| 5) | 13 | Joshua J. Mace<br>Alice L. Mace | 20-40253 | Continued hearing on Trustee's<br>Motion to Dismiss Case (9) |
|----|----|---------------------------------|----------|--|

HAY

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|----|----|------------------------------------|----------|---|
| 6) | 13 | Kenneth D. Smith<br>Tracy W. Smith | 15-40517 | Continued hearing on Trustee's<br>Motion to Dismiss Case (47) |
|----|----|------------------------------------|----------|---|

WILLCOX

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|----|----|--------------------|----------|---|
| 7) | 13 | Carolyn D. Surratt | 21-40003 | Hearing on Trustee's Motion to<br>Dismiss Case (16) |
|----|----|--------------------|----------|---|

WILLCOX

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|----|----|----------------|----------|--|
| 8) | 13 | Debra L. Cloer | 18-40044 | Hearing on Debtor's Motion for Plan<br>Payment Moratorium and for Hearing<br>to Review Status of Plan (40); Trustee's<br>Response (41) |
|----|----|----------------|----------|--|

WOOD

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|    |    |                  |          |   |
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| 9) | 13 | Kirk D. Stephens | 18-40064 | 2nd continued hearing on Trustee's<br>Motion to Dismiss Case (34) |
|----|----|------------------|----------|---|

WOOD

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|     |    |                |          |   |
|-----|----|----------------|----------|---|
| 10) | 13 | Debra S. Smith | 13-40602 | Hearing on Debtor's Motion for<br>Contempt and for Sanctions [NewRez<br>Mortgage doing business as PHH<br>Mortgage Services] (67) |
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MCKEE

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| 11) | 13 | Michael S. Stevenson | 20-40036 | 2nd continued hearing on Trustee's<br>Motion to Dismiss Case (25) |
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MCKEE

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|-----|----|---|----------|--|
| 12) | 13 | Theresa W. Utt                            | 19-40468 | 4th continued hearing on Trustee's Motion to Dismiss Case (27)   |
|     |    |   |          | 3rd continued hearing on Debtor's Motion to Modify Plan (32); Trustee's Response (34); Debtor's Amended Motion for Plan Modification, Plan Payment Moratorium, Cares Act Extension of Chapter 13 Plan, Surrender of Vehicle to CARMAX Business Services and for Hearing to Review Status of Plan (42); Trustee's Response (44) |
|     |    | MCKEE                                     |          |  |
|     |    | -----                                     |          |  |
| 13) | 13 | Wayne E. Goode, Jr.                       | 16-40480 | 4th continued hearing on Trustee's Motion to Dismiss Case (59)   |
|     |    | PLANER                                    |          |  |
|     |    | -----                                     |          |  |
| 14) | 13 | Brenda H. Peterson                        | 18-40016 | Continued hearing on Trustee's Motion to Dismiss Case (28)   |
|     |    | PLANER                                    |          |  |
|     |    | -----                                     |          |  |
| 15) | 13 | Jobe A. Hooper<br>Cathy M. Hooper         | 18-40294 | Hearing on Debtors' Motion to Modify Plan to 1% Composition Plan (76); Trustee's Response (80)   |
|     |    | PLANER                                    |          |  |
|     |    | -----                                     |          |  |
| 16) | 13 | William T. Tallent<br>Margaret N. Tallent | 19-40133 | 2nd continued hearing on Trustee's Motion to Dismiss Case (58)   |
|     |    | PLANER                                    |          |  |
|     |    | -----                                     |          |  |

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|-----|----|--------------------------------------|----------|---|
| 17) | 13 | Kenneth E. Ervin<br>Willie Mae Ervin | 19-40399 | Hearing on Trustee's Motion to Dismiss Case (43)                        |
|     |    |                                      |          | Hearing on Debtor's Motion to Modify Plan (44); Trustee's Response (46) |

PLANER

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|     |    |   |          |  |
|-----|----|---|----------|--|
| 18) | 13 | Paul D. Anderson, Jr.<br>Jennifer S. Anderson | 19-40278 | 7th continued hearing on Trustee's Motion to Dismiss Case (41)                       |
|     |    |   |          | 2nd continued hearing for status regarding Order Granting Motion for Moratorium (53) |

FARMER

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|     |    |                  |          |   |
|-----|----|------------------|----------|---|
| 19) | 13 | Kevin L. Roberts | 19-40295 | 5th continued hearing on Trustee's Motion for Turnover of Funds (32)                    |
|     |    |                  |          | 2nd continued hearing on Trustee's Motion to Dismiss Case (39)                          |
|     |    |                  |          | Hearing on Debtor's Motion to Modify Plan to Extend Term and Reduce Payment Amount (43) |

FARMER

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|     |    |                                       |          |   |
|-----|----|---------------------------------------|----------|---|
| 20) | 13 | Timothy F. Parks<br>Kimberly S. Parks | 19-40395 | Hearing on Trustee's Motion to Dismiss Case (20)  |
|     |    |                                       |          | Hearing on Trustee's Motion to Modify Plan to Extend Term and Reduce Payment Amount (23); Trustee's Response (25) |

FARMER

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|     |    |   |          |   |
|-----|----|---|----------|---|
| 21) | 13 | Eric H. Boling<br>Karen L. Boling         | 20-40093 | Hearing on Trustee's Motion to Modify Plan and Set Liability of Debtors as to Claims (58)   |
|     |    | FARMER                                    |          |   |
|     |    | -----                                     |          |   |
| 22) | 13 | Christopher W. Gibbs<br>Michelle D. Gibbs | 20-40214 | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (24/12)   |
|     |    | FARMER                                    |          |   |
|     |    | -----                                     |          |   |
| 23) | 13 | Vicente Garcia                            | 16-40401 | 3rd continued hearing on Debtor's Motion for Sanctions to Compel Accounting and to Provide Accurate Payoff (76); Response of Shellpoint Mortgage Servicing on behalf of Wells Fargo Bank (85) |
|     |    | W. S. GARDNER<br>KEENAN                   |          |   |
|     |    | -----                                     |          |   |
| 24) | 13 | Lori A. Ross                              | 18-40065 | Hearing on Debtor's Motion to Approve Insurance Settlement, Amend Exemptions and Allow Debtor to Use Funds (46); Trustee's Response (48)  |
|     |    | W. S. GARDNER                             |          |   |
|     |    | -----                                     |          |   |
| 25) | 13 | Gennie E. Thackerson                      | 18-40401 | 3rd continued hearing on Trustee's Motion to Dismiss Case (41)  |
|     |    |   |          | 3rd continued hearing on Debtor's Motion for Plan Payment Moratorium and for Hearing to Review Status of Plan (43); Trustee's Response (47)   |
|     |    | W. S. GARDNER                             |          |   |
|     |    | -----                                     |          |   |

|     |    |                                     |          |   |
|-----|----|-------------------------------------|----------|---|
| 26) | 13 | Anthony K. Maness<br>Gina B. Maness | 20-40177 | Hearing on Objection of RNS<br>Servicing, LLC to Chapter 13 Plan (35)   |
|     |    | W. S. GARDNER<br>WINFREE            |          |   |
|     |    | -----                               |          |   |
| 27) | 13 | Linda S. Denny                      | 20-40197 | Hearing on Debtor's Motion for<br>Temporary Relief From Future Default<br>Provision (28); Trustee's Response (30)                                     |
|     |    | W. S. GARDNER                       |          |   |
|     |    | -----                               |          |   |
| 28) | 13 | Ann M. Deaton                       | 17-40034 | Continued hearing on Trustee's<br>Motion to Dismiss Case (44); Debtor's<br>Response (47)  |
|     |    | LUTZ                                |          |   |
|     |    | -----                               |          |   |
| 29) | 13 | Dean S. Mitchell                    | 17-40093 | Hearing on Motion for Relief from<br>Automatic Stay and Co-Debtor Stay<br>[Nationstar Mortgage LLC d/b/a Mr.<br>Cooper] (34); Debtor's Objection (36) |
|     |    | LUTZ<br>NEILL                       |          |   |
|     |    | -----                               |          |   |
| 30) | 13 | Jaime L. Bolick                     | 18-40055 | Hearing on Debtor's Motion to Modify<br>Plan and Pay Insurance Proceeds to<br>Trustee (42); Trustee's Response (44)                                   |
|     |    | LUTZ                                |          |   |
|     |    | -----                               |          |   |
| 31) | 13 | Debra P. Norville                   | 19-40057 | Hearing on Trustee's Motion to<br>Dismiss Case (19)   |
|     |    | LUTZ                                |          |   |
|     |    | -----                               |          |   |

32) 13 Diane E. Parker 19-40199 Continued hearing on Trustee's Motion to Dismiss Case (39); Debtor's Response (45)  
  
Hearing on Debtor's Motion to Modify (41); Trustee's Response (44)

LUTZ

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33) 13 Wyshena L. Rankin 19-40349 Hearing on Trustee's Motion to Dismiss Case (29)

LUTZ

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34) 13 Jeffrey L. Tompkins 19-40351 Hearing on Trustee's Motion to Dismiss Case (25)  
Cindy A. Tompkins

LUTZ

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35) 13 Rochelle M. Avant 20-40023 2nd continued hearing on Trustee's Motion to Dismiss Case (34); Debtor's Response (42)

LUTZ

**CONSENT ORDER**

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36) 13 Shane S. Spry 20-40164 Hearing on Trustee's Motion to Dismiss Case (22)

LUTZ

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37) 13 Bobby E. Williams 20-40187 Hearing on Debtor's Motion to Modify Plan (16); Trustee's Response (18)

LUTZ

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38) 13 Robert Charpentier, Jr. 20-40208 Hearing on Trustee's Motion to Dismiss Case (12)

LUTZ

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39) 13 James E. Baker, III 19-40002 Hearing on Debtor's Motion to Compel  
Disclosure of Information Related to  
Property of the Estate (54)

PRO SE

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10:30 a.m.

40) 7 Jerry A. Greene 20-40210 Continued hearing on Trustee's  
Objection to Exemption (15)

WILLCOX  
SUMMERLIN, TR.

*CONTINUED TO 4/30*

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***NO COURT***

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**HONORABLE J. CRAIG WHITLEY**

**THERE ARE NO HEARINGS SCHEDULED FOR  
WEDNESDAY, MARCH 24, 2021**

**SCHEDULE CHANGES OCCUR DAILY;  
PLEASE REFER TO ANY FILED NOTICES,  
OR ADVISE THE COURT IF THERE IS A NEED  
FOR A SPECIAL HEARING DATE.**